



DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY FORCES COMMAND
1777 HARDEE AVENUE SW
FORT MCPHERSON GA 30330-1062

SEP 24 2004

REPLY TO
ATTENTION OF

AFEN

MEMORANDUM FOR Assistant Chief of Staff for Installation Management,
600 Army Pentagon, Washington, DC 20310

SUBJECT: Environmental Funding for Sustainable Training Ranges

1. Forces Command is concerned that funding for the sustained management of the training lands, historically accomplished in the environmental conservation program, dwindles dramatically in FY 05 and out years. Forces Command believes this places the training mission at risk. Forces Command requests funding the historic levels of environmental conservation in FY 05 and out years to implement Integrated Natural Resource Management Plans (INRMPs) to assure continued availability and sustainability of Army training lands for the future. Forces Command also requests a common operating picture that allows visibility of the environmental funding process.
2. The Sikes Act Improvement Amendment, passed in 1997, gave the military five years to complete and implement INRMPs for all installations with significant natural resources. These plans must be approved by the US Fish and Wildlife Service (FWS) and the state game and fish agency. Department of Defense (DOD) Instruction 4715.3 and other instructions, articulate DOD the policy to comply with federal laws. The Office of the Director of Environmental Programs (ODEP) ensured that installations met the requirement to complete INRMPs. However, since Congress did not clearly state what it meant by implement INRMPs, there has been considerable debate in the past among MACOMs, installations and ODEP on these issues. With the creation of the Installation Management Agency (IMA), another group has entered into the discussions.
3. Recently, DOD asked Congress to modify the affects of implementation of several environmental laws through the Range and Readiness Preservation Initiative. Subsequently, Congress amended the affect of a court ruling on the Migratory Bird Treaty Act, which threatened continued use of live-fire training on Army ranges. The resulting agreement with FWS requires installations to meet with FWS annually to assess the effects of training and management on populations of sensitive migratory birds. The logical tool for this consultation is the INRMP. By proactive habitat management in the INRMP, which is normally consistent with good training land management, the negative effects of live-fire and maneuver training on migratory birds are mitigated.

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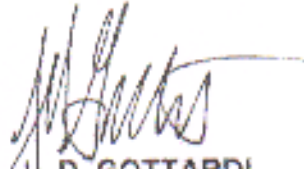
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4. Implementation of the INRMP is critical to the continued support of unit training. Although the IMA manages the training ranges and environmental programs, FORSCOM is responsible for the long-term execution of the training mission. Since FWS is a signatory on the INRMP, it is reasonable for them to assume that the management requirements detailed in the INRMP will be funded and accomplished. Regrettably, this is not the case. In the most recent environmental funding request, most projects implementing INRMPs, with the exception of Endangered Species Act projects, were considered optional or some other (historically underfunded) program's requirement and were not funded. Forces Command no longer has visibility of the installation funding submissions, but we understand the magnitude of this policy change is to reduce the FY 06 proposed distribution of conservation program funding from over \$60M to about \$40M. The policy change also places the training mission in potential jeopardy by providing a sound legal basis for private parties or conservation activists to obtain court-ordered injunctions and effectively shut down all training operations.

5. In conclusion, projects historically funded in the conservation program to implement the INRMP, including those that specifically manage habitat on the training ranges, should be funded at historic levels in the conservation program budget. Additionally, FORSCOM needs to assist in the development of a common operating picture of environmental funding distributions to installations as discussed in the February 04 Installation Management Board of Directors meeting and the past two MACOM/IMA Chief of Staff Video Teleconferences.

6. For further information, contact Dr. Bert Bivings (404) 464-7659 or Mr. Ted Reid (404) 464-7814.

FOR THE COMMANDER:



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CF:

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SFIM-AR (200-3)

17 May 04

MEMORANDUM FOR Director, Environmental Programs (DAIM-ED-T/Mr. Decker), 600
Army Pentagon, Washington, DC 20310-0600

SUBJECT: US Army Reserve Natural Resources Management

1. References:

- a. 16 United States Code (U.S.C.) 670(b), Sikes Act, as amended by the Sikes Act Improvement Amendments of 1997.
- b. AR 200-3, Natural Resources – Land, Forest and Wildlife Management, 28 Feb 95.
- c. Memorandum, Deputy Under Secretary of Defense (DUSD) (I&E), and 10 Oct 02, subject: Implementation of Sikes Act Improvement Act – Updated Guidance.
- d. Memorandum, Assistant Chief of Staff for Installation Management, DAIM-ED-N, 21 Mar 97, subject: Army Goals and Implementing Guidance for Natural Resources Planning Level Surveys (PLS) and Integrated Natural Resources Management Plan (INRMP).

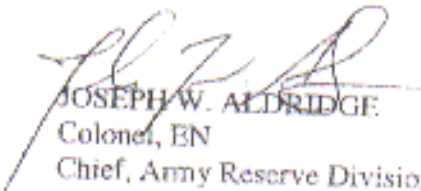
2. During the last Environmental Program Requirements (EPR) review by the Army Environmental Center (AEC) and Office of the Director of Environmental Programs (ODEP), approximately 38 natural resources projects across the US Army Reserve (USAR) were not validated. This represents a loss of approximately \$975K over the Program Objective Memorandum (POM). The rationale given was that these various natural resources projects are not "must funds" via U.S.C 16 -Sikes Act unless there is an environmental driver requiring effort such as the Endangered Species Act (ESA).

3. The DUSD (I&E) Sikes Act Policy, in reference 1b, clearly identifies "Must Fund" as any INRMP actions necessary to rehabilitate or prevent natural resource degradation that may affect military readiness. Over the past 7 years, Department of Defense and US Army policies and guidance have referenced the INRMP as the document central to all natural resources management. Furthermore, the National Defense Authorization Act (NDAA) of 2004 specifically lists the INRMP as the document to use in lieu of critical habitat designations upon military lands.

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4. The USAR is in agreement with the current Department of Defense and US Army policies that many INRMP actions are "Must Fund" and therefore necessary to prevent natural resource degradation that may affect military readiness. The INRMP also represents a signed federal facility compliance agreement with the state department of natural resources and the US Fish and Wildlife Service.
5. If current Department of Defense and US Army policy do not apply, the USAR requests that policy be issued on INRMP implementation to include specifics on soil sustainment, invasive species, and prescribed burning, wetlands management and general natural resources guidance as soon as possible.
6. Sustainability of the US Army Reserve's training areas is crucial to the ongoing military mission. Proactive rather than reactive measures to natural resources compliance and management are both cost effective in the long term and the basis for current Department of Defense and US Army policies. This action would be greatly clarified if Headquarters Department of the Army would issue new policy on INRMP implementation. The USAR environmental staff is available to assist your staff in developing appropriate policy.
7. For additional information, contact Mr. Ron Smith, (404) 464-8752, or Ronald.Smith4@usarc-emh2.army.mil.


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Chief, Army Reserve Division